UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.15/1996/1
4 March 1996

ORIGINAL: ENGLISH

COMMISSION ON CRIME PREVENTION
AND CRIMINAL JUSTICE
Fifth session
Vienna, 21-31 May 1996
Item 2 of the provisional agenda

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

Provisional agenda

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Review of priority themes.
4. Measures to regulate firearms.
5. Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.
6. Technical cooperation and strengthening of the United Nations crime prevention and criminal justice programme.
7. United Nations standards and norms in the field of crime prevention and criminal justice.
8. Cooperation and coordination of activities with other United Nations bodies and other entities.
9. Plan for strategic management.
10. Programme questions.
11. Provisional agenda for the sixth session of the Commission.
12. Adoption of the report of the Commission on its fifth session.

V.96-81321T

Annotations

Item 1

In accordance with rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council (E/5975/Rev.1) and with the practice established at its first session, the Commission on Crime Prevention and Criminal Justice, at its fifth session, may wish to elect five officers, that is, a Chairman, three Vice-Chairmen and a Rapporteur.

In accordance with Commission decision 1/101, the post of Chairman of the fifth session of the Commission is to be occupied by a member of the Group of Asian States and the post of Rapporteur by a member of the Group of Western European and other States.

The membership of the Commission at its fifth session is given in annex I.

Item 2

On the recommendation of the Commission at its fourth session, the Economic and Social Council adopted decision 1995/243, in which it approved the provisional agenda for the fifth session of the Commission.

The proceedings of the Commission on Crime Prevention and Criminal Justice are governed by the rules of procedure of the functional commissions of the Economic and Social Council.

The organization of work proposed for the Commission at its fifth session is given in annex II.

Item 3

The Economic and Social Council, in its resolution 1992/22, section VI, determined that the following priority themes should guide the work of the Commission in the development of a detailed United Nations crime prevention and criminal justice programme and the budget allocations for the period 1992-1996:

(a) National and transnational crime, organized crime, economic crime, including money-laundering, and the role of criminal law in the protection of the environment;

(b) Crime prevention in urban areas, juvenile and violent criminality;

(c) Efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in developing countries for the regular collection, collation, analysis and utilization of data in the development and implementation of appropriate policies.

The Commission has reviewed and reaffirmed these priority themes in all its sessions since the adoption of Council resolution 1992/22.

(a) National and transnational crime, organized crime, economic crime, including money-laundering, and the role of criminal law in the protection of the environment

(i) Implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime

In its resolution 49/159, the General Assembly approved the Naples Political Declaration and Global Action Plan against Organized Transnational Crime (A/49/748, annex, sect. I.A). In the same resolution, the Assembly urged States to implement the Global Action Plan as a matter of urgency and requested the Commission to keep its implementation under regular review. In pursuance of Assembly resolution 49/159, a regional ministerial workshop on the prevention and control of organized transnational crime for Latin America and the Caribbean was organized at Buenos Aires from 27 to 30 November 1995. The recommendations of the ministerial workshop will be available to the Commission (E/CN.15/1996/2/Add.1).

The Economic and Social Council, on the recommendation of the Commission at its fourth session, adopted resolution 1995/11, on the implementation of the Naples Political Declaration and Global Action Plan, in which it requested the Commission to ensure and monitor their full implementation. In the same resolution, the Council requested the Secretary-General to initiate the process of requesting the views of Governments on the opportunity and impact of international instruments such as a convention or conventions against organized transnational crime and on the issues and elements that could be covered therein and to collect and analyse information on the structure and dynamics of organized transnational crime and on the responses of States to that problem. In addition, the Council decided that an open-ended intergovernmental working group should be established to consider the results of the analysis of the information collected by the Secretary-General in response to this request, as well as to propose further action on the implementation of the Naples Political Declaration and Global Action Plan.

In the same resolution, the Council requested the Secretary-General to submit to Member States for their consideration at the fifth session of the Commission a proposal on the creation of a central repository for existing legislative and regulatory measures and information on organizational structures designed to combat organized transnational crime. The Council also requested the Secretary-General to submit concrete proposals to the Commission for approval, in order to develop practical models and guidelines for substantive and procedural legislation in order to assist, in particular, developing countries and countries in transition, in reviewing and evaluating their legislation and in planning and undertaking reforms.

The Commission will have before it, for its consideration, a report of the Secretary-General addressing the issues outlined above (E/CN.15/1996/2).

(ii) Control of the proceeds of crime

The Economic and Social Council, in its resolution 1994/13, on control of the proceeds of crime, requested the Secretary-General to cooperate with Member States and intergovernmental organizations in disseminating principles and issues that should be addressed in substantive and procedural legislation on prevention and control of the laundering of the proceeds of crime and the control of such proceeds, for incorporation in national penal and procedural codes by Member States. The Council also requested the Secretary-General to organize, or to facilitate the organization of, regional training seminars, also for countries in transition, designed to provide criminal justice personnel with the capacity to detect, investigate, prosecute and adjudicate cases involving the laundering and control of the proceeds of crime. It further requested the Secretary-General to assist Member States in elaborating model curricula and manuals for higher legal education and in designing special courses in academic institutions on various aspects of prevention and control of the laundering of the proceeds of crime and the control of such proceeds. In the same resolution, the Council requested the Commission to continue its consideration of the issues related to prevention and control of the laundering of the proceeds of crime; in addition, the Council requested the

Secretary-General to report to the Commission at is fifth session on that subject, including recommendations for further concerted action at the global level. The Commission will have before it a report of the Secretary-General on international, regional and other initiatives for prevention and control of the laundering of the proceeds of crime (E/CN.15/1996/3).

(iii) Smuggling of illegal migrants

In its resolution 1995/10, the Council decided that the organized smuggling of illegal immigrants should be considered by the Commission at its fifth session in the context of the broader problem of organized crime. In addition, the Council requested the Secretary-General to remind Member States that had not done so of the importance of responding to the notes verbales sent to all Member States on 10 February and 9 June 1994 concerning criminal legislation and other measures taken to combat the smuggling of illegal migrants and to submit to the Commission at its fifth session an updated report on such measures, including a compilation and an analysis of the responses. The Commission will have before it the report of the Secretary-General on measures to combat the smuggling of illegal migrants (E/CN.15/1996/4).

(iv) Action against corruption

The Economic and Social Council, in its resolution 1995/14, urged States to develop and implement specific and comprehensive anti-corruption strategies to enhance accountability and to increase their capacity for the prevention, detection, investigation and prosecution of corrupt practices. In addition, the Council requested the Secretary-General to review the manual on practical measures against corruption[1] and requested the Commission to keep the issue of action against corruption under regular review. In the same resolution, the Council took note of the draft international code of conduct for public office holders in its revised form, annexed to the resolution, and requested the Secretary-General to continue consultations with Governments aimed at revising the text further and to submit it to the Commission at its fifth session for consideration and action.

The Commission will have before it a report of the Secretary-General covering the issues mentioned above and containing the draft international code of conduct for public office holders, revised in accordance with the comments and proposals submitted by Governments (E/CN.15/1996/5).

(v) International cooperation in criminal matters, including extradition

In its resolution 1995/27, on the implementation of the resolutions and recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, the Council, in section I of that resolution, requested the Secretary-General to convene, utilizing extrabudgetary resources, a meeting of an intergovernmental expert group to examine practical recommendations for the further development and promotion of mechanisms of international cooperation, including the United Nations model treaties on international cooperation in criminal matters, as well as for the development of model legislation on extradition and related forms of international cooperation in criminal matters.

The Commission will have before it a note by the Secretary-General on the outcome of consultations undertaken and arrangements made for convening the intergovernmental expert group (E/CN.15/1996/6).

(vi) Links between transnational organized crime and terrorist crimes

In its resolution 1995/27, section II, the Council decided to establish an open-ended intergovernmental working group, within the framework of the Commission, to consider, at its fifth session, the views of Member States sought by the Secretary-General in the implementation of Ninth Congress resolution 3, paragraph 1 (A/CONF.169/16, chap. I), and to consider measures for combating transnational organized crime, including the drafting of a code of conduct or other legal instrument, with due regard to the growing

danger of links between organized crime and terrorist crimes. The Commission will have before it a report of the Secretary-General on the links between transnational organized crime and terrorist crimes, including a summary of the views of Member States on the matter (E/CN.15/1996/7).

(vii) The role of criminal law in the protection of the environment

The Council, in its resolution 1995/27, section II, called upon the Secretary-General, as well as the United Nations Interregional Crime and Justice Research Institute and the regional institutes for the prevention of crime and the treatment of offenders, to continue research, exchange of information, training and technical cooperation facilitating the development of preventive, regulatory and other strategies on the role of criminal law in the protection of the environment, with an emphasis on: needs assessment and advisory services; assistance in the review or redrafting of legislation and the development of effective infrastructure; and training of criminal justice and regulatory agency personnel. A short summary of recent developments and activities undertaken in implementing this mandate is contained in the report of the Secretary-General on technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme (E/CN.15/1996/8).

(viii) Establishment of a regional centre for training and research in crime prevention and criminal justice for the Mediterranean States

In its resolution 1995/27, section I, the Council decided to establish an open-ended intergovernmental working group during the first two days of the fifth session of the Commission to study the proposal for the establishment of a regional centre, to be based at Cairo, for training and research in crime prevention and criminal justice for the Mediterranean States.

The Secretariat received a note verbale dated 27 December 1995 from the Government of Egypt, requesting that the consideration of this matter be deferred. The Commission will have before it a note by the Secretary-General on the subject (E/CN.15/1996/9).

(b) Crime prevention in urban areas, juvenile and violent criminality

(i) Prevention of urban crime

In its resolution 1995/9, the Council adopted the guidelines for cooperation and technical assistance in the field of urban crime prevention and requested the Commission to ensure the publication of the guidelines in the most appropriate form. The Council also requested the Commission to consider practical ways of ensuring follow-up on the use and application. In its resolution 1995/27, section IV, the Council recommended that the Commission should consider the possible impact of migratory flows on urban criminality. The Commission may wish to consider further action on the use and application of the guidelines and to provide guidance to the Secretariat for follow-up to these resolutions, on the basis of an oral report to be presented by the Secretariat.

(ii) Children as victims and perpetrators of crime

The Council, in its resolution 1995/27, section IV decided that the elimination of violence against children should be considered within the priority theme "Crime prevention in urban areas, juvenile and violent criminality" in the biennium 1996-1997. In the same section of that resolution, the Council requested the Secretary-General to initiate the process of requesting the views of Member States on the elaboration of an international convention on the illicit traffic in children, which might embody elements necessary to efficiently combat that form of transnational organized crime. In addition, the Council invited the Secretary-General to consider ways of elaborating a programme of action aimed at promoting the effective use and application of relevant United Nations human rights instruments in the administration of justice with regard

to children and of United Nations standards and norms in juvenile justice. The Council requested the Secretary-General to submit a report on the implementation of the recommendations contained in its resolution 1995/27, section IV.B. Furthermore, the Council decided that the open-ended in-sessional working group of the Commission, at its fifth session, should seek ways to develop and undertake practical activities, including training, research and advisory services, to achieve the goal of preventing and eradicating violence against children. The Commission will have before it a report of the Secretary-General on children as victims and perpetrators of crime (E/CN.15/1996/10).

(iii) Elimination of violence against women

In its resolution 1995/27, section IV, the Council urged the Commission to continue to consider the elimination of violence against women within its priority themes and within the training and technical assistance efforts of the United Nations crime prevention and criminal justice programme. In addition, the Council requested the Secretary-General to seek the contributions of interested Member States, institutes in the United Nations crime prevention and criminal justice programme network, and intergovernmental and non-governmental organizations, in order to prepare a draft plan of action, in the context of crime prevention and criminal justice, on the elimination of violence against women that would provide practical and action-oriented suggestions on how to address that issue by means of, *inter alia*, legislative action, research and evaluation, technical cooperation, training and exchange of information. The Council also requested the Secretary-General to submit the draft plan of action, as well as a report on the views received, to the Commission at its fifth session for discussion by the open-ended in-sessional working group.

The Commission will have before it the report of the Secretary-General containing the text of, and the views received on, a draft plan of action on the elimination of violence against women (E/CN.15/1996/11).

In its resolution 1995/27, section IV, the Council invited the institutes in the United Nations crime prevention and criminal justice programme network to promote and undertake practical activities to eliminate violence against women, including the provision of training and advisory services, and to develop proposals on other measures that could be taken in the field of crime prevention and criminal justice to eliminate violence against women and to submit a report on those issues to the Commission at its fifth session. It should be recalled that the Commission, in its resolution 3/1, invited those institutes to undertake activities on issues relating to violence against women and children and to submit a report to the Commission at its fifth session on practical measures that could be taken to combat such violence. Pursuant to the two above-mentioned resolutions, the Commission will have before it the report of the Secretary-General on practical measures in the field of crime prevention and criminal justice to eliminate violence against women (E/CN.15/1996/12).

(c) Efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in developing countries for the regular collection, collation, analysis and utilization of data in the development and implementation of appropriate policies

In its resolution 1995/27, section III, the Council requested the Commission to review the membership and databases of the United Nations Crime and Justice Information Network, with a view to increasing the participation in the Network of Member States, relevant intergovernmental and non-governmental organizations and academic and other research institutions. In addition, the Council requested the Secretary-General to seek the contributions of Member States in order to prepare, in cooperation with the institutes comprising the United Nations crime prevention and criminal justice programme network, for the consideration of the Commission at its fifth session, a draft action plan on international cooperation and assistance with regard to statistical and computerized applications in the management of the criminal justice system, commensurate with the priorities of the United Nations crime prevention and criminal justice programme.

The Commission will have before it a report of the Secretary-General on a draft action plan on international cooperation and assistance in regard to statistical and computerized applications in the management of the criminal justice system (E/CN.15/1996/13).

Documentation

Report of the Secretary-General on the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime (E/CN.15/1996/2)

Addendum to the report of the Secretary-General: recommendations of the regional ministerial workshop on the prevention and control of organized transnational crime, held at Buenos Aires from 27 to 30 November 1995 (E/CN.15/1996/2/Add.1)

Report of the Secretary-General on international, regional and other initiatives for the prevention and control of the laundering of the proceeds of crime and the control of such proceeds (E/CN.15/1996/3)

Report of the Secretary-General on measures to combat the smuggling of illegal migrants (E/CN.15/1996/4)

Report of the Secretary-General on action against corruption (E/CN.15/1996/5)

Note by the Secretary-General on arrangements for convening an intergovernmental expert group to examine practical recommendations for the further development and promotion of mechanisms of international cooperation, including the United Nations model treaties on international cooperation in criminal matters, and for the development of model legislation on extradition and related forms of international cooperation (E/CN.15/1996/6)

Report of the Secretary-General on the links between transnational organized crime and terrorist crimes (E/CN.15/1996/7)

Report of the Secretary-General on technical cooperation and advisory services for the United Nations crime prevention and criminal justice programme (E/CN.15/1996/8)

Note by the Secretary-General on the establishment of a regional centre for training and research in crime prevention and criminal justice for the Mediterranean States (E/CN.15/1996/9)

Report of the Secretary-General on children as victims and perpetrators of crime (E/CN.15/1996/10)

Report of the Secretary-General on a draft plan of action on the elimination of violence against women (E/CN.15/1996/11)

Report of the Secretary-General on practical measures in the field of crime prevention and criminal justice to eliminate violence against women (E/CN.15/1996/12)

Report of the Secretary-General on a draft action plan on international cooperation and assistance with regard to statistical and computerized applications in the management of the criminal justice system (E/CN.15/1996/13)

Background documentation

Report of the Secretary-General on the implementation of General Assembly resolution 49/159, on the Naples Political Declaration and Global Action Plan against Organized Transnational Crime (A/50/433)

Item 4

The Economic and Social Council, in its resolution 1995/27, section IV, requested the Commission, at its fifth session, to consider, under a separate agenda item, the measures to regulate firearms commonly applicable in Member States, with a view to suppressing the use of firearms in criminal activities. In the same section of that resolution, the Council requested the Secretary-General to initiate a study on specified topics related to the subject, in order to provide the Commission, at its fifth session, with a basis for its consideration of measures to regulate firearms. The Council also requested the Secretary-General to report to the Commission at its fifth session on the implementation of Ninth Congress resolution 9 (A/CONF.169/16, chap. I), and to submit to the Commission recommendations for further concerted action at the national and transnational levels, including the possibility of seeking views of Member States on the preparation of a declaration. The Commission will have before it a report of the Secretary-General dealing with these requests and issues and including guidelines for national consultants involved in preparing country profiles, with proposals for further follow-up action (E/CN.15/1996/14).

Documentation

Report of the Secretary-General on measures to regulate firearms (E/CN.15/1996/14)

Item 5

The General Assembly, in its resolution 50/145, endorsed the resolutions adopted by the Ninth Congress and invited Governments to be guided by them.

In accordance with General Assembly resolution 46/152, annex, the Commission acts as the preparatory body for the United Nations congresses on the prevention of crime and the treatment of offenders.

For its consideration of item 5, the Commission will have before it a report of the Secretary-General on proposals for the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (E/CN.15/1996/15).

Documentation

Report of the Secretary-General on proposals for the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (E/CN.15/1996/15)

Background documentation

Note by the Secretary-General on the report of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/50/373)

Report of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995 (A/CONF.169/16/Rev.1)

Item 6

The Economic and Social Council, in its resolution 1992/22, section VII, decided that the Commission should include in its agenda a standing item on technical assistance, which would deal with the most practical course of action to be followed to render the United Nations crime prevention and criminal justice programme fully operational and enable it to respond to the specific needs of Governments.

The Economic and Social Council, in its resolution 1995/15, reaffirmed the high priority attached to technical cooperation and advisory services, stressed the importance of continuing to improve the operational capacity of the programme and strongly recommended to the Secretary-General that the interregional advisory services of the programme should be further strengthened to support technical assistance activities. In the same resolution, the Council requested the Secretary-General to provide, within the regular budget, appropriate resources for the programme to provide better planning support and backstopping for the interregional advisory services, in accordance with its resolutions 1994/16 and 1994/22 and General Assembly resolution 49/158.

Furthermore, in its resolution 1995/12, the Council requested the Secretary-General to present the results of a project to establish a clearing-house for international projects in the field of crime prevention and criminal justice to the Commission at its fifth session.

The General Assembly, in its resolution 50/146, requested the Secretary-General to facilitate the creation of joint initiatives, including bilateral activities, and the joint formulation and implementation of technical assistance projects, benefiting developing countries and countries in transition, involving interested donor countries and funding agencies, particularly the United Nations Development Programme (UNDP) and the World Bank, with a view to establishing and maintaining efficient criminal justice systems on a country-by-country basis as an essential component of developmental efforts. In the same resolution, the Assembly called upon UNDP, the World Bank and other international, regional and national funding agencies to support technical cooperation activities devoted to crime prevention and criminal justice at the country level and, in pursuance of their mandates, to include such activities in their programmes. In addition, the Assembly noted the contributions of the United Nations crime prevention and criminal justice programme to United Nations peace-keeping and special missions and encouraged the Secretary-General, as a way of strengthening the rule of law, to recommend the inclusion of the re-establishment and reform of criminal justice systems in peace-keeping operations.

For its consideration of item 6, the Commission will have before it a report of the Secretary-General on technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme (E/CN.15/1996/8). The report will also contain information received from Member States pursuant to Commission resolution 4/1. In that resolution, the Commission reiterated its call to successor States that had not done so to confirm to appropriate depositories that they would continue to be bound by obligations under relevant international treaties on combating various manifestations of crime, to which their predecessor States had been parties and urged the successor States that had not done so to consider becoming parties to the international treaties on combating crime to which their predecessor States had not been parties.

Documentation

Report of the Secretary-General on technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme (E/CN.15/1996/8)

Background documentation

Report of the Secretary-General on the implementation of General Assembly resolution 49/158 (A/50/432)

Item 7

The Economic and Social Council, in its resolution 1992/22, section VII, decided that the Commission should include in its agenda a standing item on existing United Nations standards and norms in the field of crime prevention and criminal justice, including their use and application. The Council, in its resolution 1993/34, section III, requested the Secretary-General to undertake an information-gathering exercise by means

of surveys on the following United Nations standards and norms in crime prevention and criminal justice: (a) the Standard Minimum Rules for the Treatment of Prisoners;[2] (b) the Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169, annex), together with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;[3] (c) the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (General Assembly resolution 40/34, annex); and (d) the Basic Principles on the Independence of the Judiciary.[4] The surveys were to be conducted over a two-year period in order to enable Member States to have sufficient time to provide replies.

In its resolutions 1994/18, the Council reaffirmed the important contribution that the use and application of United Nations standards and norms in crime prevention and criminal justice made to criminal justice systems. In the same resolution, the Council invited Member States to reply to the questionnaires on the above-mentioned United Nations standards and norms and requested the Secretary-General to submit to the Commission at its fifth session a report on the replies. The Council, in its resolution 1995/13, urged Governments that had not yet replied to the questionnaires to submit their replies in time to be included in the report of the Secretary-General.

In its resolution 1995/27, section III, the Council invited the Commission to keep the matter of prison conditions under regular review and, in particular, recommended that the open-ended in-sessional working group on United Nations standards and norms in crime prevention and criminal justice should discuss, at the fifth session of the Commission, the establishment of efficient information-gathering mechanisms to that end, taking into account the results of the United Nations survey on the use and application of the Standard Minimum Rules for the Treatment of Prisoners.[2] In section IV of that resolution, the Council requested the Secretary-General to seek the views of Member States and relevant organizations on the advisability of preparing a manual on the use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power. A meeting of an expert group on victims of crime and abuse of power in the international setting was held at Vienna from 18 to 22 December 1995. The Commission will have before it the recommendations of the meeting (E/CN.15/1996/16/Add.5), including an outline of a draft manual, and the report of the meeting (E/CN.15/1996/CRP.1).

The General Assembly, in its resolution 50/181, welcomed the important work of the Commission on Crime Prevention and Criminal Justice in the field of human rights in the administration of justice, as reflected, *inter alia*, in Economic and Social Council resolution 1995/13. The Assembly appealed to Governments to include the administration of justice in their national development plans and invited Governments to provide training in human rights in the administration of justice, including juvenile justice, to all judges, lawyers, prosecutors, social workers and other professionals concerned, including police and immigration officers.

The Commission will have before it a report of the Secretary-General on United Nations standards and norms in the field of crime prevention and criminal justice (E/CN.15/1996/16), together with four reports on their use and application (E/CN.15/1996/16/Add.1-4).

The Council, in its resolution 1995/13, requested the Secretary-General to develop questionnaires on the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) (General Assembly resolution 40/33, annex), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) (General Assembly resolution 45/112, annex) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (General Assembly resolution 45/113, annex), to be considered by the Commission at its fifth session, with a view to requesting the Secretary-General to submit a report on the replies to the Commission at a subsequent session. The Commission will have before it a note by the Secretary-General on the draft questionnaire on United Nations standards and norms in juvenile justice (E/CN.15/1996/17).

The Commission, in its resolution 4/2, requested the Secretary-General to seek more con States on the advisability and on the specific content of the draft minimum rules for the admi criminal justice (E/CN.15/1994/11) and to submit an analytical report, including options on hov in that matter, to be considered by the Commission at its fifth session. The Commission will h the report of the Secretary-General on the development of minimum rules for the administratio justice (E/CN.15/1996/18).

Pursuant to Economic and Social Council resolutions 1745 (LIV) and 1989/64, the Secre submitted to the Council, at its substantive session of 1995, a report on capital pun implementation of the safeguards guaranteeing the protection of the rights of those facing the d (E/1995/78 and Add.1 and Corr.1). In its resolution 1995/57, the Council requested the Co examine the report at its fifth session. In order to facilitate the discussion on that matter, th General invited Governments that had not responded to the previous survey to provide the Sec their views, as well as with all relevant information on the issue. Accordingly, the Commissi before it an updated report of the Secretary-General on capital punishment and implement safeguards guaranteeing the protection of the rights of those facing the death penalty (E/CN.1

Documentation

Report of the Secretary-General on United Nations standards and norms in the field of crim and criminal justice (E/CN.15/1996/16)

Addendum to the report of the Secretary-General: use and application of the Standard Mi for the Treatment of Prisoners (E/CN.15/1996/16/Add.1)

Addendum to the report of the Secretary-General: use and application of the Code of Con Enforcement Officials, together with the Basic Principles on the Use of Force and Firea Enforcement Officials (E/CN.15/1996/16/Add.2)

Addendum to the report of the Secretary-General: use and application of the Declarat Principles of Justice for Victims of Crime and Abuse of Power (E/CN.15/1996/16/Add.3

Addendum to the report of the Secretary-General: use and application of the Basic Prin Independence of the Judiciary (E/CN.15/1996/16/Add.4)

Addendum to the report of the Secretary-General: recommendations of the meeting of the on victims of crime and abuse of power in the international setting, held at Vienna 22 December 1995 (E/CN.15/1996/16/Add.5)

Report of the meeting of the expert group on victims of crime and abuse of power in the setting, held at Vienna from 18 to 22 December 1995 (E/CN.15/1996/CRP.1)

Note by the Secretary-General on the draft questionnaire on United Nations juvenile just and norms (E/CN.15/1996/17)

Report of the Secretary-General on the development of minimum rules for the administratio justice (E/CN.15/1996/18)

Report of the Secretary-General on capital punishment and implementation of th guaranteeing the protection of the rights of those facing the death penalty (E/CN.15/1996

Item 8

The Economic and Social Council, in its resolution 1992/22, section IV, requested the Commission to cooperate closely with other United Nations bodies and the specialized agencies in order to increase the efficiency and effectiveness of United Nations activities in areas of mutual concern and to ensure proper coordination and avoidance of duplication. In addition, the Council urged the Commission to cooperate closely with intergovernmental and non-governmental organizations in the development and implementation of the programme. The Council also recommended that the Secretary-General should undertake, *inter alia*, the coordination and integration of the activities of the interregional, regional and associate institutes cooperating with the United Nations in the field of crime prevention and criminal justice.

The General Assembly, in its resolution 49/158, requested the Secretary-General further to strengthen cooperation between the Crime Prevention and Criminal Justice Branch and the United Nations International Drug Control Programme (UNDCP). In the same resolution and in its resolution 50/146, the Assembly requested the Secretary-General to take all necessary measures to assist the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in the field of crime prevention and criminal justice, in performing its functions and to ensure the proper coordination of all relevant activities in the field, in particular with the Commission on Human Rights and the Commission on Narcotic Drugs.

In its resolution 3/5, the Commission on Crime Prevention and Criminal Justice requested the Secretary-General to ensure continued coordination of the activities of the Crime Prevention and Criminal Justice Branch and UNDCP. In addition, the Commission requested those two entities to report jointly and annually to it and to the Commission on Narcotic Drugs on progress achieved in strengthening coordination. The Commission on Narcotic Drugs made a similar request in its resolutions 1 (XXXVII) and 9 (XXXVIII).

The Commission on Crime Prevention and Criminal Justice will have before it a report of the Secretary-General on cooperation and coordination of activities in crime prevention and criminal justice, including activities of UNDCP (E/CN.15/1996/20), as well as a report on activities of the institutes comprising the United Nations crime prevention and criminal justice programme network (E/CN.15/1996/21).

The Tenth Joint Programme Coordination Meeting of the United Nations Crime Prevention and Criminal Justice Programme Network was held at Courmayeur, Italy, from 17 to 18 October 1995. The Commission will have before it the report of the Tenth Meeting (E/CN.15/1996/CRP.2).

In its resolution 50/147, the General Assembly commended the African Institute for the Prevention of Crime and the Treatment of Offenders for the activities that it had undertaken, despite its difficulties in fulfilling its mandate, and appealed to Governments and intergovernmental and non-governmental organizations to provide financial and technical support to the Institute to enable it to fulfil its objectives. In addition, the Assembly requested the Secretary-General to ensure that the Institute was provided with adequate funds, within the overall appropriation of the programme budget and from extrabudgetary resources, and to submit proposals for any necessary additional funding, in accordance with Assembly resolution 49/156 and decision 49/480. The Assembly also requested the Secretary-General to ensure proper follow-up with all concerned on the implementation of its resolution 50/147, and to report thereon to the Assembly at its fifty-first session and to the Commission on Crime Prevention and Criminal Justice at its fifth session.

The Commission will have before it the report of the Secretary-General, presented to the General Assembly at its fiftieth session, on the African Institute for the Prevention of Crime and the Treatment of Offenders (A/50/375).

Documentation

Report of the Secretary-General on cooperation and coordination of activities in crime prevention and criminal justice, including activities of the United Nations International Drug Control Programme (E/CN.15/1996/20)

Report of the Secretary-General on activities of the institutes comprising the United Nations crime prevention and criminal justice programme network (E/CN.15/1996/21)

Report of the Tenth Joint Programme Coordination Meeting of the United Nations Crime Prevention and Criminal Justice Programme Network, held at Courmayeur, Italy, from 17 to 18 October 1995 (E/CN.15/1996/CRP.2)

Background documentation

Report of the Secretary-General on the African Institute for the Prevention of Crime and the Treatment of Offenders (A/50/375)

Items 9 and 10

In its resolution 50/146, the General Assembly reaffirmed the importance of the United Nations crime prevention and criminal justice programme and the crucial role it had to play in promoting international cooperation. It requested the Secretary-General to continue strengthening the programme by providing it with the resources necessary for the full implementation of its mandates, including follow-up action to the Naples Political Declaration and Global Action Plan and to the Ninth Congress.

In the same resolution, the Assembly stressed the importance of continuing to improve the operational activities of the programme, particularly in developing countries and countries in transition. It called upon States and funding agencies to make significant financial contributions for operational activities for crime prevention and criminal justice, and encouraged all States to make voluntary contributions for that purpose to the United Nations Crime Prevention and Criminal Justice Fund.

The Assembly, in the same resolution, reaffirmed the importance of rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council* and urged the Secretary-General to provide the appropriate information to the Commission. In addition, the Assembly requested the Secretary-General to take all necessary measures to provide improved services, at its future sessions, to the Commission on Crime Prevention and Criminal Justice, with a view to ensuring full implementation of the relevant Commission resolutions on strategic management by the Commission in the context of United Nations rules and regulations.

---

*Rule 28 reads as follows (E/5975/Rev.1):

"1. Before a proposal involving the expenditure of United Nations funds is approved by the commission, the Secretary-General shall prepare and provide to the commission an estimate of the programme budget implications of implementing the proposal. The Chairman shall draw attention to that estimate and invite discussion on it when the proposal is considered by the commission.

"2. Any programme budget proposal recommended by the commission to the Council for its approval must be stated in terms of the objectives to be achieved."

In its resolution 50/214, the Assembly approved the upgrading of the Crime Prevention and Criminal Justice Branch to a division, the reclassification of the D-1 post of the Chief of the Branch to the D-2 level and the establishment of two P-3 posts. In addition, the Assembly requested the Secretary-General to review the adequacy of resources made available for crime prevention activities at the regional level and to report thereon to the General Assembly at its fifty-first session.

In the same resolution, the Secretary-General was requested to report to the Assembly on the status of implementation of the strategic management plan of the Crime Prevention and Criminal Justice Division as adopted by the Commission in its resolution 1/1, including, *inter alia*, those activities that had achieved demonstrable results in combating international crime, assisting international law enforcement or otherwise meeting current mandates of the United Nations Congress on the Prevention of Crime and the Treatment of Offenders and the Commission.

At its fourth session, the Commission adopted resolution 4/3, on the provision of information in accordance with the plan for strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations crime prevention and criminal justice programme. In that resolution, the Commission decided that, commencing with its fifth session, a standing item should be included in its agenda so that it might review the extent to which activities had been successfully implemented in accordance with its resolution 1/1 and the information provided in accordance with the annex to its resolution 4/3. In addition, the Commission requested the Secretary-General to provide Member States with the necessary assistance to implement resolution 4/3, including the provision of information on the availability of resources.

The Commission will have before it excerpts from the report of the Secretary-General on the programme performance of the United Nations for the biennium 1994-1995 (A/51/...), as well as a report of the Secretary-General on strategic management (E/CN.15/1996/22). The Commission will also have before it for its information section 13 of the programme budget for the biennium 1996-1997 (A/50/6/Rev.1).

The medium-term plan of the United Nations is the principal policy directive for the Organization, and serves as the framework for the formulation of biennial programme budgets. The contribution to the draft medium-term plan for the period 1998-2001 covering programme 8 (Crime prevention and criminal justice) is contained in a conference room paper (E/CN.15/1996/CRP.3). The General Assembly, in its resolution 47/214, section I, emphasized the importance of the contribution of intergovernmental bodies in reviewing the plan. The Commission may therefore wish to take note of the draft medium-term plan and to provide any comments thereon which it may deem appropriate. Its comments would then be forwarded to the Committee for Programme and Coordination and the Advisory Committee on Administrative and Budgetary Questions, which will review the entire plan prior to its submission to the Economic and Social Council and the General Assembly.

Documentation

Report of the Secretary-General on strategic management (E/CN.15/1996/22).

Contribution to the draft medium-term plan for the period 1998-2001 covering programme 8 (Crime prevention and criminal justice) (E/CN.15/1996/CRP.3)

Background documentation

Section 13 of the programme budget for the biennium 1996-1997 (A/50/6/Rev.1)

Item 11

In accordance with rule 9 of the rules of procedure of the functional commissions of the Economic and Social Council, the Commission will have before it the provisional agenda for its sixth session, together with an indication of the documents to be submitted under each agenda item and the legislative authority for their preparation.

Documentation

Note by the Secretariat on the provisional agenda and documentation for the sixth session of the Commission (E/CN.15/1996/L...)

Item 12

The report of the Commission on its fifth session will be submitted to the Economic and Social Council at its substantive session of 1996.

The attention of the Commission is drawn to Economic and Social Council resolution 1989/114, section II, in which the Council requested its subsidiary bodies to highlight policy recommendations and decisions resulting from their deliberations, for consideration and appropriate action by the Council.

Notes

[1]*International Review of Criminal Policy*, Nos. 41 and 42 (United Nations publication, Sales No. E.93.IV.4).

[2]*First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

[3]*Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.2, annex.

[4]*Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.2, annex.

Annex I

MEMBERSHIP OF THE COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE AT ITS FIFTH SESSION, TO BE HELD AT VIENNA FROM 21 TO 31 MAY 1996

	Year in which term expires (on 31 December)
Angola	1997
Argentina	1997
Austria	1996
Belarus	1997
Brazil	1996
Burundi	1997
Canada	1997
China	1997
Colombia	1996
Congo	1996
Costa Rica	1997
Cuba	1996
Finland	1996
France	1997
Germany	1996
Hungary	1996
Indonesia	1997
Iran (Islamic Republic of)	1997
Italy	1997
Japan	1996
Madagascar	1997
Malawi	1996
Malaysia	1996
Mexico	1997
Morocco	1996
Nicaragua	1997
Nigeria	1997
Pakistan	1996
Paraguay	1997
Poland	1997
Republic of Korea	1997
Russian Federation	1996
Sri Lanka	1996
Sudan	1996
Thailand	1997
Tunisia	1996
Uganda	1996
United Republic of Tanzania	1996
United States of America	1997
Zaire	1996

Annex II

PROPOSED ORGANIZATION OF WORK FOR THE FIFTH SESSION OF THE COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE

1. The proposed organization of work for the fifth session of the Commission on Crime Prevention and Criminal Justice, set out below, has been prepared pursuant to relevant decisions of the General Assembly and the Economic and Social Council. Its purpose is to facilitate the consideration of agenda items within the time available, taking into account the conference facilities allocated to the Commission. The proposed organization of work and timetable have been prepared on the understanding that the Commission will accept the request of the Government of Egypt (E/CN.15/1996/9) to defer consideration of the proposal for the establishment of a regional centre for training and research in crime prevention and criminal justice for the Mediterranean States and that, consequently, the working group intended to consider that matter, in pursuance of Council resolution 1995/27, section I, will not be established during the fifth session of the Commission.

2. The proposed timetable should be considered as purely indicative in character. Once the Commission completes the general discussion of an item before an indicated time, it may wish to move immediately to the next item on its work schedule.

3. In pursuance of Economic and Social Council resolution 1995/11, a working group (to be called working group I) will be established, within the framework of the Commission, at its fifth session, to consider the results of the analysis of the information collected by the Secretariat on the structure and dynamics of organized transnational crime, and the views of Governments on the opportunity and impact of a convention or conventions against organized transnational crime and on the issues and elements that could be covered therein, as well as to propose further action on the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime (A/49/748, annex, sect. I.A).

4. In accordance with Economic and Social Council resolution 1995/27, section II, a working group (to be called working group II) will be established, within the framework of the Commission at its fifth session, to consider the views of Member States sought by the Secretary-General in the implementation of resolution 3, paragraph 1, of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995 (A/CONF.169/16, chap. I). That working group will also consider measures for combating transnational organized crime, including the drafting of a code of conduct or other legal instrument, with due regard to the growing danger of links between organized crime and terrorist crimes.

5. In pursuance of Economic and Social Council resolution 1993/34, section III, a working group (to be called working group III) will discuss, *inter alia*, the role of the United Nations in promoting the use and application of the Standard Minimum Rules for the Treatment of Prisoners;[a] the Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169, annex), together with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;[b] the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (General Assembly resolution 40/34, annex); and the Basic Principles on the Independence of the Judiciary.[c] The Council, in its resolution 1995/13, invited that working group to undertake an overall review of the information-gathering system, including ways of further improving that system.

6. In pursuance of Council resolution 1995/27, section IV, paragraph 29, a working group (to be called working group IV) will consider the views of Member States, institutes comprising the United Nations crime prevention and criminal justice programme network, and intergovernmental and non-governmental organizations on a draft plan of action, in the context of crime prevention and criminal justice, on the elimination of violence against women. In pursuance of Council resolution 1995/27, section IV, paragraph 25, the working group will also seek ways to develop and undertake practical activities, including

training, research and advisory services, to achieve the goal of preventing and eradicating violence against children. In pursuance of Council resolution 1995/27, section III, paragraph 7, the same working group will also consider a draft action plan on international cooperation and assistance with regard to statistical and computerized applications in the management of the criminal justice system, commensurate with the priorities of the United Nations crime prevention and criminal justice programme (E/CN.15/1996/13).

7. The Economic and Social Council, by its decision 1995/242, decided that the Commission at its fifth session, in addition to plenary meetings, should be provided with full interpretation services for a total of 14 meetings for informal consultations on draft proposals and for meetings of open-ended working groups, the precise allocation of time for the different types of meetings to be determined by the Commission at its fifth session under its agenda item entitled "Adoption of the agenda and organization of work". That decision was taken on the understanding that no more than two meetings would be held concurrently, in order to ensure maximum participation of delegations.

8. It is proposed that working groups I and II should be allocated two meetings each, while working groups III and IV should be allocated three meetings each. It is further proposed that four meetings should be allocated for informal consultations on proposals and recommendations on substantive agenda items. Consequently, the working groups, which will have at their disposal interpretation services in all official languages of the United Nations, should start their meetings on the morning of Tuesday, 21 May 1996, immediately after the opening of the session, and should continue up to and including the afternoon of Tuesday, 28 May 1996. Informal consultations on draft proposals by the Committee of the Whole should start on the morning of Wednesday, 29 May 1996, and should continue up to and including the afternoon of Thursday, 30 May 1996.

9. It is also proposed that a time-limit of 10 minutes should be set for the delivery of statements on the substantive items of the agenda.

10. Arrangements have been made to hold morning and afternoon meetings during the fifth session of the Commission. It is proposed that the meetings should be held from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m.

Date	*Time*	*Subject*
Tuesday, 21 May 1996	Morning	Opening of the session
		Plenary
		Item 1. Election of officers
		Item 2. Adoption of the agenda and organization of work
		Item 3. Review of priority themes
		(a) National and transnational crime, organized crime, economic crime, including money-laundering, and the role of criminal law in the protection of the environment
		(b) Crime prevention in urban areas, juvenile and violent criminality

Date	*Time*	*Subject*
		(c) Efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in developing countries for the regular collection, collation, analysis and utilization of data in the development and implementation of appropriate policies
		Working group I: Follow-up to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime
	1 p.m.	Closure of list of speakers on item 3
	Afternoon	*Item 3*. Continuation of general discussion
		Working group I: Follow-up to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime
Wednesday, 22 May 1996	Morning	**Plenary**
		Item 3. Continuation of general discussion
		Working group II: Links between transnational organized crime and terrorist crimes
	Afternoon	*Item 3*. Continuation and conclusion of general discussion
		Working group II: Links between transnational organized crime and terrorist crimes
Thursday, 23 May 1996	Morning	**Plenary**
		Item 4. Measures to regulate firearms
		Working group III: United Nations standards and norms in crime prevention and criminal justice; and consideration of reports of the Secretary-General and review of information-gathering system
	1 p.m.	Closure of list of speakers on item 4
	Afternoon	**Plenary**
		Item 4. Continuation and conclusion of general discussion
		Item 5. Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
		Working group III: United Nations standards and norms in crime prevention and criminal justice; and consideration of reports of the Secretary-General and review of information-gathering system

Date	*Time*	*Subject*
	5 p.m.	Closure of list of speakers on item 5
	6 p.m.	Deadline for submission of recommendations of working groups II and III
Friday, 24 May 1996	Morning	**Plenary**
		Item 5. Continuation and conclusion of general discussion
		Item 6. Technical cooperation and strengthening of the United Nations crime prevention and criminal justice programme
		Working group III: United Nations standards and norms in crime prevention and criminal justice; and consideration of reports of the Secretary-General and review of information-gathering system
	1 p.m.	Closure of list of speakers on item 6
	Afternoon	**Plenary**
		Item 6. Continuation of general discussion
		Working group IV: Draft plan of action on the elimination of violence against women; programme of action on juvenile justice and the eradication of violence against children; and draft action plan on international cooperation in computerized applications
	6 p.m.	Deadline for submission of draft proposals on items 3 and 4
Tuesday, 28 May 1996	Morning	**Plenary**
		Item 6. Continuation and conclusion of general discussion
		Item 7. United Nations standards and norms in the field of crime prevention and criminal justice
		Working group IV: Draft plan of action on the elimination of violence against women; programme of action on juvenile justice and the eradication of violence against children; and draft action plan on international cooperation in computerized applications
	Afternoon	**Plenary**
		Item 7. Continuation and conclusion of general discussion
		Working group IV: Draft plan of action on the elimination of violence against women; programme of action on juvenile justice and the eradication of violence against children; and draft action plan on international cooperation in computerized applications
	5 p.m.	Closure of list of speakers on item 7

Date	*Time*	*Subject*
	6 p.m.	Deadline for submission of draft proposals on items 5 and 6 Deadline for submission of recommendations of working group I
Wednesday, 29 May 1996	Morning	**Plenary**
		Item 7. Continuation and conclusion of general discussion
		Item 8. Cooperation and coordination of activities with other United Nations bodies and other entities
	1 p.m.	Closure of list of speakers on item 8
		Committee of the Whole: Informal consultations
	Afternoon	**Plenary**
		Item 8. Continuation and conclusion of general discussion
		Committee of the Whole: Informal consultations
	6 p.m.	Deadline for submission of draft proposals on items 7 and 8
Thursday, 30 May 1996	Morning	**Plenary**
		Items 9 and 10. Plan for strategic management and programme questions
		Consideration and action on draft proposals on items 3, 4 and 5
		Committee of the Whole: Informal consultations
	1 p.m.	Closure of list of speakers on items 9 and 10
	Afternoon	**Plenary**
		Items 9 and 10. Continuation and conclusion of general discussion
		Consideration and action on draft proposals on items 6, 7 and 8
		Committee of the Whole: Informal consultations
	6 p.m.	Deadline for submission of draft proposals on items 9 and 10
Friday, 31 May 1996	Morning	Consideration and action on any outstanding draft proposals
		Item 11. Provisional agenda for the sixth session of the Commission
	Afternoon	*Item 12.* Adoption of the report of the Commission on its fifth session
		Closure of the session

Notes

[a]See *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

[b]*Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.2, annex.

[c]*Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.2, annex.